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APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,058	10/26/2001	Michael Mulligan	NOKM.016PA	3896

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 10/22/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,058

Applicant(s)

MULLIGAN, MICHAEL

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-39 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 8-24, 27-29, 33-35, 38 and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Moles et al. (US 6,615,038 B1), hereinafter Moles.

4. As to claims 1, 24 and 38, Moles discloses the invention substantially as claimed, including a method for provisioning mobile terminals (111-114, fig. 1; col. 5, lines 2-6) for use of applications offered by one or more network services on a network (col. 1, line 52 – col. 2, line 13), comprising:

interfacing at least one mobile terminal (111-114, fig. 1; col. 5, lines 2-6) to at least one network service (100, 165, fig. 2) via a provisioning Web service (col. 1, line 52 – col. 2, line 13), wherein the provisioning Web service provides a single point of

interface (i.e., browser interface) to the network service for provisioning the mobile terminal (col. 1, lines 41-44); and

provisioning the mobile terminal by the provisioning Web service for use of at least one application provided by the network service (col. 8, lines 30-48), wherein the provisioning comprises configuring the mobile terminal for use of the application (160, figs. 2, 3; col. 6, lines 33-44 and 53-65) and delivering the application to the mobile terminal (col. 1, lines 41-47).

5. As to claim 8, Moles discloses delivering the application via a data object delivery module of the provisioning Web service (col. 1, lines 41-47).

6. As to claims 9 and 11-13, Moles discloses comparing data object variants offered by the application with a terminal type of the mobile terminal to determine a suitable data object to deliver for the terminal type of the mobile terminal (col. 7, line 52 – col. 8, line 13).

7. As to claim 10, Moles discloses receiving the terminal type of the mobile terminal at/from a presence module (col. 2, lines 18-27; col. 8, lines 8-13).

8. As to claims 14 and 15, Moles discloses sending appropriate configuration settings to the mobile terminal comprises sending the configuration settings to the mobile terminal via a terminal management server (col. 7, line 52 – col. 8, line 25; col. 8,

lines 49-59).

9. As to claims 16-18, Moles discloses remotely configuring parameters in the mobile terminal to prepare the mobile terminal for proper access and use of the application (310, fig. 3; col. 6, line 58 – col. 7, line 7).

10. As to claims 19 and 20, Moles discloses Internet or Intranet (165, fig. 2).

11. As to claim 21, it is rejected for the same reasons set forth in claims above. In addition, Moles discloses Web service data object delivery module coupled to the Web service interface to deliver the applications to successfully configured mobile terminals as part of the provisioning procedures (col. 3, lines 16-27; col. 8, lines 49-65).

12. As to claims 22 and 23, Moles discloses Web service interface (i.e., browser), Web service mobile terminal configuration module (160, figs. 2, 3; col. 6, lines 33-44 and 53-65), and Web service data object delivery module (col. 1, lines 41-44).

13. As to claims 33-35, Mole discloses terminal management module (160, figs. 2, 3; col. 6, lines 33-44 and 53-65).

14. As to claim 39, it is rejected for the same reasons set forth in claims above. In addition, Moles discloses a computer-readable medium having computer-executable

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instructions for provisioning mobile terminals (160, figs. 2, 3; col. 2, lines 16-29).

15. As to claims 27-29, it is rejected for the same reasons set forth in claims 9 and 11-13 above.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 2-7, 25, 26, 30-32, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles et al. (US 6,615,038 B1), hereinafter Moles, as applied to claims 1, 8-24, 27-29, 33-35, 38 and 39 above, in further view of Scott Seely "Web Service description and Discovery Using UDDI, Part II", Microsoft Corporation.

18. As to claims 2 and 3, Moles does not specifically disclose establishing a network connection between the network service and a Web services endpoint associated with the provisioning Web service, which terminates Web service protocols. However, Seely discloses establishing a network connection between the network service and a Web services endpoint associated with the provisioning Web service, which terminates Web

service protocols (page 6, section "Defining the Service"; page 7, section "Finding the data"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Moles and Seely because Seely's connection between the network service and a Web services endpoint would allow users to receive the desired network resources.

19. As to claims 4, 6 and 7, Moles does not specifically disclose the Simple Object Access Protocol (SOAP), UDDI, and WSDL. However, Moles discloses one or more of a wide variety of communication protocols (col. 6, lines 20-23). Seely discloses UDDI (fig. 1; page 1) and SOAP (page 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Moles and Seely because the SOAP is known as a XML based protocol (i.e., communication protocol) that provides the Internet Web service.

20. As to claim 5, it is rejected for the same reasons set forth in claims 2 and 3 above. In addition, Seely discloses web service endpoint with a service registry (page 1, section "Registering Yourself with UDDI").

21. As to claim 31, Moles and Seely do not specifically disclose a cache for storing the application. However, it would have been obvious to one of ordinary skill in the art to include cache because it is well known as a fast storage buffer.

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22. As to claim 37, it is rejected for the same reasons set forth in claims above.

Moles and Seely do not specifically disclose notification Web service to deliver the mobile terminal an address of the data object stored at the delivery Web service if the terminal type indicates that the mobile terminal is not capable of receiving the data object via a push operation. However, it would have been obvious to one of ordinary skill in the art that it should provide the address of the data to be delivered to the mobile device, in situation when the mobile device does not have a capability to receive the data and mobile device is not in cellular coverage, out of service, or turned off.

Therefore, users are enabling to receive the data with reconfiguration of the mobile device or different format of the data.

23. As to claims 25 and 26, they are rejected for the same reasons set forth in claims 2 and 3 above.

24. As to claims 30 and 32, they are rejected for the same reasons set forth in claim 37 above.

25. As to claim 36, it is rejected for the same reasons set forth in claims 25-35.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Rogers et al, patent 6,301,484 B1, Nordeman et al, patent 6,363,249 B1, Alperovich et al, patent 6,269,244 B1 disclose method and system for dynamically configurable datagram message.

Nirmal K. Mukhi, "Web service invocation sans SOAP How WSIF scores over the current client programming models for Web services", IBM September 1, 2001.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

Jungwon Chang
October 16, 2003


ZARNI MAUNG
PRIMARY EXAMINER